



**Wake Forest Board of Commissioners Work Session
Meeting Agenda
February 07, 2023 at 6:00 PM**

1. Presentations

- 1.1. Discussion of Updated Capital Improvements Plan for FY 2023 - 2028
[Discussion of 2023-2028 CIP Update_summary.pdf](#)
- 1.2. Proclamation Recognizing the 100th Birthday of Ms. Lydia Young
[Proclamation_100thBirthdayofMs.LydiaYoungJan2023.pdf](#)

2. Discussion of Monthly Financial Report

- 2.1. Monthly Financial Report
[December 31, 2022 Financial Summaries.pdf](#)

3. Review of Draft Agenda for Upcoming Regular Meeting

- 3.1. Review of Draft Agenda for Upcoming Regular Meeting
[DraftBOCAgendaFeb202321.pdf](#)

4. Other Business

- 4.1. Consideration of a Resolution authorizing the Town Manager to execute, on behalf of the Town of Wake Forest, an amendment to the professional services contract of the comprehensive UDO (Unified Development Ordinance) and MSSD (Manual of Specifications, Standards & Design) update.
[UDO Update Contract Amendment Agenda Summary](#)
[UDO Contract and Zoning Map Update Resolution](#)
[UDO Update Scope and Budget Adjustment Memo - Zoning Map](#)
- 4.2. AN ORDINANCE PROHIBITING THE POSSESSION OF WEAPONS ON TOWN PROPERTY; SIGNAGE.
[AN ORDINANCE PROHIBITING THE POSSESSION OF WEAPONS ON TOWN PROPERTY.docx](#)
- 4.3. Closed Session - Consultation with the Town Attorney, N.C.G.S. § 143.318.11(a)(3)

5. Commissioner Reports

6. Adjournment



Board of Commissioners Work Session Agenda Item Report

Agenda Item No.: 2022-57-
Submitted by: Aileen J. Staples
Submitting Department: Finance
Meeting Date: February 7, 2023

SUBJECT

Discussion of Updated Capital Improvements Plan for FY 2023 - 2028

Recommendation:

Item Summary:

ATTACHMENTS

- [Discussion of 2023-2028 CIP Update_summary.pdf](#)

Discussion of Updated Capital Improvements Plan for FY 2023-2028

There will be a power point presentation summarizing overview of CIP update. Staff will be on hand to discuss and answer questions on FY 2023 – 2024 funding level summary.



Board of Commissioners Work Session Agenda Item Report

Agenda Item No.: 2023-4-

Submitted by: Terry Savary

Submitting Department: Administration

Meeting Date: February 7, 2023

SUBJECT

Proclamation Recognizing the 100th Birthday of Ms. Lydia Young

Recommendation:

Item Summary:

ATTACHMENTS

- [Proclamation_100thBirthdayofMs.LydiaYoungJan2023.pdf](#)



TOWN *of*
WAKE FOREST

301 S. Brooks Street
Wake Forest, NC 27587
t 919.435.9400

www.wakeforestnc.gov

**PROCLAMATION RECOGNIZING
THE 100th BIRTHDAY OF MS. LYDIA YOUNG**

WHEREAS, Ms. Lydia Young, affectionately known as “Sister,” was born on February 8, 1923, in Martin County, NC.

WHEREAS, After her mother passed at age seven (7), she moved to Pulley Town Road in Rolesville/Wake Forest, Wake County, NC with her father and grandmother, where she has resided for ninety-three years. She devoted her life to taking care of her family.

WHEREAS, She worked at Rolesville Elementary School for over twenty years. She loves quilting and cooking.

WHEREAS, She is a devoted Mother, Sister, Grandmother, Great Grandmother, Great Great Grandmother, Aunt, and dear, dear friend.

THEREFORE, I, Vivian A. Jones, Mayor of the Town of Wake Forest, urge everyone to celebrate this birthday with Ms. Lydia Young and congratulate her on a well-lived and shared life, this the 8th day of February 2023.

Attest:

Vivian A. Jones, Mayor

Theresa Savary, Town Clerk





Board of Commissioners Work Session Agenda Item Report

Agenda Item No.: 2023-14-

Submitted by: Terry Savary

Submitting Department: Administration

Meeting Date: February 7, 2023

SUBJECT

Monthly Financial Report

Recommendation:

Item Summary:

ATTACHMENTS

- [December 31, 2022 Financial Summaries.pdf](#)

Town of Wake Forest

December 31, 2022

GENERAL FUND HIGHLIGHTS:

- Total year-to-date revenues are at 55.93% of annual budgeted amounts.
- Ad valorem taxes represent over 55% of the general fund revenues – they are due September 1. Penalties and interest do not accrue until January 2023. Majority of this revenue source comes in towards the end of December and before January 6.
- Unrestricted intergovernmental revenues (sales and utility franchise tax) represent over 23% of general fund revenues.
 - The first three distributions of sales tax received - **\$3.9 million**.
 - Please note this is **23.4% higher** than previous year currently.
- **Due to recent increases in interest rates, investment income is significantly higher than budgeted (for all funds). Future budget amendments forthcoming to recognize additional funds.**
- Other financing sources include installment purchase proceeds, interfund transfers and appropriated fund balance – reflective later in the fiscal year.
- Total year-to-date expenditures are at 49.74% of appropriations (includes encumbrances).
 - Departments that are above the guideline results from blanket purchase orders that are issued in July and August for services that cover the fiscal year, purchase orders carried forward (items not received in FY 22) and capital equipment being ordered earlier due to delayed delivery times.
- Net increase YTD (*increase* fund balance) is **\$8.4 million**.
 - Collections in current year ad valorem taxes - \$4.2 million for the month.

DEBT SERVICE FUND HIGHLIGHTS:

- \$329,117 in debt service payments made in December.
- Powell Bill funds (restricted intergovernmental) came in slightly under expectations (\$28,000 less) – budget amendment forthcoming.
- Net increase YTD (*increase* in fund balance) is **\$1,698,241**.

WF BIP:

- Other financing sources represents transfer from General Fund.
- Expenditures are well below expected guideline (50%).

DMSD HIGHLIGHTS:

- Majority of DMSD tax revenue will come in December and early January.
- Transfer to debt service for streetscape note made in December - \$65,000.

December 31, 2022 - Financial Summaries – page 2

WFRC HIGHLIGHTS:

- Expenditures are at 47.89% which is below the guideline (50%).
- Other financing sources represents transfer from General Fund for personnel costs.

ELECTRIC FUND HIGHLIGHTS:

- Total year-to-date revenues are at 47.93% of budgeted amounts.
- Total expenses are at 66.58% (includes encumbrances) – without inventory encumbrance – 43.7%.
 - Purchase for resale – power for December (\$1,169,386) is paid in January and not reflected in the attached.
 - Purchase order for \$4,383,350 was issued in April 2022 per bids received for transformers (inventory).
 - Purchases for inventory are accounted for on a cash basis during the fiscal year then reconciled to the balance sheet at year end.
 - Purchase orders for transformers were carried forward from FY 22.
- Net gain YTD is \$1,026,422

NOTE – Staff has been meeting internally to address the cash deficit issue presented during the FYE 22 audit. One immediate change for the remainder of the year will be adjusting the allocated personnel costs accordingly which will slightly increase the Electric Fund's cash position.

AMERICAN RESCUE PLAN ACT (ARPA):

- Report is a “life to date” (LTD) meaning everything reported is cumulative from the beginning – July 2021.
- Next mandated reporting date to US Treasury is January 31, 2023, and has been submitted.
- Due to reporting and accounting requirements, funds received to date are shown as “deferred revenue” and is recorded as revenue as we incur expenditures over the next few years. This will be reflected in the Annual Comprehensive Financial Report. For monthly reporting purposes, it is shown that all funds have been received.

GENERAL FUND
December 31, 2022

Monthly Target Percentage

50.00%

Department	Amended Budget	YTD Actual	Encumbrances	Remaining Budget (including encumbrances)	% Budget Used (includes encumbrances)	PY YTD Actuals
REVENUES						
Ad Valorem Taxes	\$ 36,287,700	\$ 28,331,586	-	\$ 7,956,114	78.07%	\$ 27,773,750
Other Taxes	56,500	25,197	-	31,303	44.60%	23,299
Unrestricted Intergovernmental	15,656,740	4,760,510	-	10,896,230	30.41%	3,943,644
Restricted Governmental	2,130,325	913,299	-	1,217,026	42.87%	968,945
Permits and Fees	2,671,700	1,280,760	-	1,390,940	47.94%	1,990,078
Other Revenue	1,481,870	662,697	-	819,173	44.72%	452,112
Sales and Services	4,198,850	1,507,284	-	2,691,566	35.90%	1,221,344
Investment Earnings	263,000	309,985	-	(46,985)	117.86%	2,350
Other Financing Sources	4,905,770	47,747	-	4,858,023	0.97%	-
General Fund Total	\$ 67,652,455	37,839,065	-	29,813,390	55.93%	\$ 36,375,523

Department	Amended Budget	YTD Actual	Encumbrances	Remaining Budget (including encumbrances)	% Budget Used (includes encumbrances)	PY YTD Actuals
EXPENDITURES						
410 Board of Commissioners	\$ 270,765	\$ 142,805	\$ -	\$ 127,960	52.74%	\$ 163,462
412 Legal Services	462,300	201,016	-	261,284	43.48%	248,506
420 Administration	1,039,450	416,558	18,171	604,721	41.82%	462,006
425 Communications	1,285,135	540,182	154,237	590,716	54.03%	495,943
430 Human Resources	1,175,890	584,161	7,026	584,703	50.28%	411,457
435 Downtown Development	462,000	198,126	-	263,875	42.88%	199,175
440 Finance	1,749,765	853,774	37,838	858,153	50.96%	690,711
445 Information Technology	1,564,985	780,354	130,194	654,437	58.18%	687,491
480 Building Inspections	2,084,075	960,688	-	1,123,387	46.10%	870,163
490 Planning	3,885,728	1,110,267	420,472	2,354,989	39.39%	1,147,735
500 Public Facilities	3,423,013	1,479,785	726,712	1,216,515	64.46%	1,194,192
510 Police	15,102,949	7,033,430	838,973	7,230,545	52.12%	6,702,811
520 Fire	10,716,547	5,254,990	686,394	4,775,163	55.44%	4,575,769
530 Public Works Administration	303,800	126,725	-	177,075	41.71%	133,494
535 Urban Forestry	453,930	197,226	3,020	253,684	44.11%	90,276
540 Engineering	1,911,175	715,137	175,495	175,495	46.60%	503,676
550 Fleet Maintenance	628,345	241,078	33,935	353,332	43.77%	240,938
560 Streets	3,314,933	1,216,516	252,545	1,845,872	44.32%	1,242,353
580 Solid Waste	5,684,480	1,773,164	363,476	3,547,840	37.59%	2,072,791
620 Parks and Recreation	4,909,925	2,025,700	366,196	2,518,029	48.72%	1,703,748
999 Transfers	7,212,265	3,575,404	-	3,636,861	49.57%	3,434,300
General Fund Total	\$ 67,641,455	29,427,085	4,214,685	33,999,686	49.74%	\$ 27,270,997

General Fund - Net Gain (Loss)

\$ 8,411,981

\$ 9,104,526

Debt Service Fund
December 31, 2022

Monthly Target Percentage

50.00%

Department	Amended Budget	YTD Actual	Remaining Budget (including encumbrances)	% Budget Used (includes encumbrances)	PY YTD Actuals
REVENUES					
Restricted Governmental	\$ 1,314,400	1,286,484	27,916	97.88%	1,282,385
Permits and Fees	745,000	292,901	452,099	39.32%	318,142
Investment Earnings	750	10,159	(9,409)	1354.59%	78
Other Financing Sources	5,182,330	2,623,665	2,558,665	50.63%	2,681,075
General Fund Total	\$ 7,242,480	4,213,209	3,029,271	58.17%	\$ 4,281,680

Department	Amended Budget	YTD Actual	Remaining Budget (including encumbrances)	% Budget Used (includes encumbrances)	PY YTD Actuals
EXPENDITURES					
440 Finance	\$ -	\$ -	\$ -	-	-
445 Information Technology	404,895	203,407	201,488	50.24%	207,282
480 Building Inspections	103,750	52,128	51,622	50.24%	53,447
500 Public Facilities	711,260	431,224	280,036	60.63%	424,929
510 Police	728,895	364,448	364,447	50.00%	189,784
520 Fire	387,750	134,543	253,207	34.70%	177,520
535 Urban Forestry Division	8,550	4,272	4,278	49.97%	4,273
540 Engineering	7,055	3,523	3,532	49.94%	8,288
550 Fleet Maintenance	8,550	4,273	4,277	49.98%	4,273
560 Streets	1,932,550	409,752	1,522,798	21.20%	339,958
570 Powell Bill	890,640	436,034	454,606	48.96%	446,738
580 Solid Waste	107,915	53,952	53,963	50.00%	59,908
620 Parks and Recreation	1,950,670	417,412	1,533,258	21.40%	443,261
General Fund Total	\$ 7,242,480	2,514,968	4,727,512	34.73%	\$ 2,359,662

Debt Service Fund - Net Gain (Loss)

\$ 1,698,241

\$ 1,922,018

Wake Forest Business and Industry Partnership Fund (BIP)
December 31, 2022

Monthly Target Percentage

50.00%

Department	Amended Budget	YTD Actual	Encumbrances	Remaining Budget (including encumbrances)	% Budget Used (includes encumbrances)	PY YTD Actuals
REVENUES						
Sales and Services	\$ -	\$ -	\$ -	\$ -	0.00%	\$ -
Other Revenue	-	-	-	-	0.00%	8,000
Other Financing Sources	409,700	182,633	-	227,068	44.58%	181,290
WFRC Fund Total	\$ 409,700	182,633	-	227,068	44.58%	\$ 189,290

Department	Amended Budget	YTD Actual	Encumbrances	Remaining Budget (including encumbrances)	% Budget Used (includes encumbrances)	PY YTD Actuals
EXPENDITURES						
415 Economic Development	\$ 409,700	\$ 69,007	\$ -	\$ 340,693	16.84%	\$ 74,166
WFRC Fund Total	\$ 409,700	69,007	-	340,693	16.84%	\$ 74,166

WFBIP Fund - Net Gain (Loss) **\$ 113,626** **\$ 115,124**

DMSD Special Revenue Fund
December 31, 2022

Monthly Target Percentage

50.00%

Department	Amended Budget	YTD Actual	Encumbrances	Remaining Budget (including encumbrances)	% Budget Used (includes encumbrances)	PY YTD Actuals
REVENUES						
Ad Valorem Taxes	\$ 147,710	\$ 74,770	-	\$ 72,940	50.62%	\$ 65,778
Investment Earnings	390	3,742	-	(3,352)	959.43%	37
Other Financing Sources	-	-	-	-	0.00%	105
DMSD Special Revenue Fund Total	\$ 148,100	78,512	-	69,588	53.01%	\$ 65,920

Department	Amended Budget	YTD Actual	Encumbrances	Remaining Budget (including encumbrances)	% Budget Used (includes encumbrances)	PY YTD Actuals
EXPENDITURES						
Transfers In (Out)	\$ 148,100	\$ 65,000	\$ -	\$ 83,100	43.89%	\$ -
DMSD Special Revenue Fund Total	\$ 148,100	65,000	-	83,100	43.89%	\$ -

Downtown District - Net Gain (Loss)

13,512

65,920

Wake Forest Renaissance Centre
December 31, 2022

Monthly Target Percentage

50.00%

Department	Amended Budget	YTD Actual	Encumbrances	Remaining Budget (including encumbrances)	% Budget Used (includes encumbrances)	PY YTD Actuals
REVENUES						
Sales and Services	\$ 199,655	\$ 66,281	\$ -	\$ 133,374	33.20%	\$ 53,281
Other Revenue	117,840	66,394	-	51,446	56.34%	34,650
Other Financing Sources	633,100	285,822	-	347,278	45.15%	203,017
WFRC Fund Total	\$ 950,595	418,497	-	532,098	44.02%	\$ 290,948

Department	Amended Budget	YTD Actual	Encumbrances	Remaining Budget (including encumbrances)	% Budget Used (includes encumbrances)	PY YTD Actuals
EXPENDITURES						
626 Wake Forest Renaissance Centre	\$ 950,595	\$ 436,063	\$ 19,178	\$ 495,354	47.89%	\$ 280,342
WFRC Fund Total	\$ 950,595	436,063	19,178	495,354	47.89%	\$ 280,342

WFRC Fund - Net Gain (Loss) **\$ (17,566)** **\$ 10,605**

ELECTRIC FUND
December 31, 2022

Monthly Target Percentage

50.00%

Department	Amended Budget	YTD Actual	Encumbrances	Remaining Budget (including encumbrances)	% Budget Used (includes encumbrances)	PY YTD Actuals
REVENUES						
Charges for Services	\$ 22,356,500	\$ 10,735,467	-	\$ 11,621,033	48.02%	\$ 10,715,500
Sales Tax - Utility	1,552,700	743,670	-	809,030	47.90%	745,213
Other Revenue	240,000	144,849	-	95,151	60.35%	417,436
Investment Earnings	2,000	22,313	-	(20,313)	1115.66%	331
Other Financing Sources	149,500	-	-	149,500	0.00%	-
Electric Fund Total	\$ 24,300,700	11,646,300	-	12,654,400	47.93%	\$ 11,878,479

Department	Amended Budget	YTD Actual	Encumbrances	Remaining Budget (including encumbrances)	% Budget Used (includes encumbrances)	PY YTD Actuals
EXPENDITURES						
850 Electric - Operations	\$ 23,898,500	\$ 10,431,207	\$ 5,558,607	\$ 7,908,686	66.91%	\$ 10,421,745
860 Electric - Tree Trimming	402,200	188,672	-	213,528	46.91%	253,017
Electric Fund Total	\$ 24,300,700	10,619,878	5,558,607	8,122,215	66.58%	\$ 10,674,762

Electric Fund - Net Gain (Loss)

1,026,422

1,203,717

AMERICAN RESCUE PLAN ACT (ARPA)
12/31/2022 (Cumulative - Life to Date)

Monthly Target Percentage

N/A

							N/A
Department	Amended Budget	LTD Actual	Encumbrances	Remaining Budget	% Budget Used	PY YTD Actuals	
REVENUES							
Restricted Governmental	\$ 14,541,000	14,541,846	-	(846)	100.01%	-	
Investment Earnings	-	133,591	-	(133,591)	0.00%	-	
Other Financing Sources	-	-	-	-	0.00%	-	
General Fund Total	\$ 14,541,000	14,675,437	-	(134,437)	100.92%	\$ -	
Department	Amended Budget	LTD Actual	Encumbrances	Remaining Budget	% Budget Used	PY YTD Actuals	
EXPENDITURES							
445 Information Technology	\$ 1,030,000	\$ 157,402	\$ 78,010	\$ 794,588	22.86%	\$ -	
525 Public Safety	2,800,000	832,041	2,301,936	(333,977)	111.93%	-	
540 Engineering	6,325,000	-	-	6,325,000	0.00%	-	
638 Other Improvements	4,386,000	1,227,883	119,013	3,039,104	30.71%	-	
General Fund Total	\$ 14,541,000	2,217,326	2,498,959	9,824,715	32.43%	\$ -	
ARPA Fund - Net Gain (Loss)		\$ 12,458,111				\$ -	



Board of Commissioners Work Session Agenda Item Report

Agenda Item No.: 2023-16-

Submitted by: Terry Savary

Submitting Department: Administration

Meeting Date: February 7, 2023

SUBJECT

Review of Draft Agenda for Upcoming Regular Meeting

Recommendation:

Item Summary:

ATTACHMENTS

- [DraftBOCAgendaFeb202321.pdf](#)



Wake Forest Board of Commissioners

Draft Meeting Agenda

February 21, 2023 at 6:00 PM

All items listed are for discussion and possible action.

Call to Order

Pledge of Allegiance

1.Approval of Agenda

2.Approval of Minutes

- 2.A. January 3, 2023 Work Session
January 17, 2023 Regular Meeting

3.Presentations

- 3.A. Presentation of Proclamation Proclaiming March 2023 as Developmental Disabilities Awareness Month

4.Public hearings / Public Comment

- 4.A. Public Hearing on a petition requesting contiguous annexation submitted by Louise T and Edward B Smith and Janest D and Julius O Morris for property associated with Morris Subdivision located at 0 N Main St, 1159 N Main St, 1161 N Main St, 1163 N Main St, and 1164 N Main St (portion) being Wake County PINs 1841-98-4646, 1841-98-7225 (portion), 1851-08-4059 (portion), 1841-88-68-35, 1841-88-3996, and 1841-89-0142 and adjacent right-of-way being approximately 23.241 acres.
- 4.B. Public Comment: If anyone would like to address the Board of Commissioners on an item other than a public hearing item during the time of public comment, please sign up with the Town Clerk prior to the meeting. Each speaker is asked to limit comments to 5 minutes. Please provide the clerk with copies of any handouts you have for the Board. Although the Board is interested in hearing your concerns, speakers should not expect Board action or deliberation on subject matter brought up during the Public Comment segment. Topics requiring further investigation will be referred to the appropriate Town Staff and may be scheduled for a future agenda. Thank you for your consideration of the Board of Commissioners, staff and other speakers.

5.Consent Agenda

(A Consent Agenda is a group of items passed with a single motion and vote. These matters are of a generally routine nature. No debate is allowable on any item included on the Consent Agenda. If a Commissioner or any citizen of Wake Forest or its ETJ wants separate consideration of any item, it may be removed from the Consent Agenda by request.)

- 5.A. Consideration of a petition requesting contiguous annexation submitted by Marshall Irrevocable Trust, Marshall Family Irrevocable Trust, and Marshall, G Thomas Trustee Marshall, Dennis C Trustee for property associated with Marshall Station located at 3817 Burlington Mills Rd, 3809 Burlington Mills Rd, 3805 Burlington Mills Rd, 1724 Forestville Rd, 3811 Burlington Mills Rd, 1720 Forestville Rd, 1716 Forestville Rd, 1704 Forestville Rd, 1640 Forestville Rd, and 1732 Forestville Rd being Wake County PINs 1749-62-5395, 1749-62-3347, 1749-62-1329, 1749-62-3660, 1749-52-7906, 1749-62-5769, 1749-62-5986, 1749-63-5127, 1749-53-6675, and 1749-62-5596 and adjacent right-of-way being approximately 46.49 acres.
- 5.B. Consideration of a petition requesting contiguous annexation submitted by Louise T and Edward B Smith and Janest D and Julius O Morris for property associated with Morris Subdivision located at 0 N Main St, 1159 N Main St, 1161 N Main St, 1163 N Main St, and 1164 N Main St (portion) being Wake County PINs 1841-98-4646, 1841-98-7225 (portion), 1851-08-4059 (portion), 1841-88-6835, 1841-88-3996, and 1841-89-0142 and adjacent right-of-way being approximately 22.949 acres.
- 5.C. Consideration of a petition requesting contiguous annexation submitted by Site Investments, LLC for property associated with Ligon Park Subdivision located at 0 Ligon Mill Road, 9606 Ligon Mill Road, 9602 Ligon Mill Road, and 9604 Ligon Mill Road being Wake County PINs 1739-86-8083, 1739-85-7729, 1739-85-8765 and 1739-85-9634 adjacent right-of-way being approximately 7.332 acres.
- 5.D. Consideration of Waiver of the Code of Ordinances – Sec. 20-2. Public Consumption, Possession, etc., of Alcohol for Friday Night on White for the 2023 Series dates from 5 PM to 9 PM. The FNOW 2023 series dates are April 14, May 12, June 9, July 14, August 11, and September 8.
- 5.E. Approval of Budget Ordinance Amendment # 2 - FY 2022 - 2023

6.Legislative Items

7.Planning Items

8.Administration and Financial Items

- 8.A. Consideration of approval of 2023-2028 Capital Improvements Plan (CIP) Update

9.Public Services Items

10.Parks and Recreation Items

11.Public Safety Items

12.Other Business

12.A. Department Monthly Report

12.B. Wake County Tax Release

12.C. Commissioner Reports

13.Adjournment



Board of Commissioners Work Session Agenda Item Report

Agenda Item No.: 2023-2-
Submitted by: Kari Grace
Submitting Department: Planning
Meeting Date: February 7, 2023

SUBJECT

Consideration of a Resolution authorizing the Town Manager to execute, on behalf of the Town of Wake Forest, an amendment to the professional services contract of the comprehensive UDO (Unified Development Ordinance) and MSSD (Manual of Specifications, Standards & Design) update.

Recommendation:

Item Summary:

ATTACHMENTS

- [UDO Update Contract Amendment Agenda Summary](#)
- [UDO Contract and Zoning Map Update Resolution](#)
- [UDO Update Scope and Budget Adjustment Memo - Zoning Map](#)

Agenda Item: Consideration of a Resolution authorizing the Town Manager to execute, on behalf of the Town of Wake Forest, an amendment to the professional services contract of the comprehensive UDO (Unified Development Ordinance) and MSSD (Manual of Specifications, Standards & Design) update.

Summary: On March 15, 2022, the Board of Commissioners approved a resolution authorizing the execution of a contract with Houseal Lavigne Associates for the update of the Unified Development Ordinance (UDO) and Manual of Specifications, Standards & Design (MSSD) for \$337,905.00. Since the execution of the contract, an amendment to the contract was made on October 3, 2022 to conduct technical review group meetings in person instead of virtually. This required one additional trip to be added to the scope and increased the contract amount by \$3,500. Per the purchasing policy, this amendment was approved by the Town Manager due to the dollar amount.

The project is underway, and the initial steps of the contract have been completed, including the project kickoff, initiation of public engagement, and existing UDO analysis and preliminary recommendations.

The drafting phase of the project has started. Due to the reorganization of existing zoning districts and addition of new zoning districts, it is now known that updating the zoning map is necessary to implement the updated UDO and for consistency with the Community Plan. The purpose of the proposed amendment is to add the task of updating the zoning map, consisting of step 4 in the attached amended scope. The amended scope involves the updated zoning map deliverable, creation of an online informational StoryMap tool, one additional open house with two event sessions, three additional review and discussion meetings with staff, and zoning map educational materials. The amended budget includes \$51,500 of additional professional fees and \$1,000 of additional direct expenses to total \$52,500. The total budget for the UDO update with the amendment is \$279,065. With the MSSD update, the total budget for the contract would be \$393,905. The contract timeline is proposed to be extended by four months.

Attachment: UDO Update Scope and Budget Adjustment Memo – Zoning Map

RESOLUTION 2023-XX

RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE, ON BEHALF OF THE TOWN OF WAKE FOREST, AN AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT OF THE COMPREHENSIVE UDO (UNIFIED DEVELOPMENT ORDINANCE) AND MSSD (MANUAL OF SPECIFICATIONS, STANDARDS & DESIGN) UPDATE

WHEREAS, on March 15, 2022, the Board of Commissioners approved a resolution authorizing the execution of a contract with Houseal Lavigne Associates for the update of the Unified Development Ordinance (UDO) and Manual of Specifications, Standards & Design (MSSD); and

WHEREAS, initial steps of the project have been completed and drafting of the update has begun; and

WHEREAS, in order to implement the zoning districts of the updated UDO, the zoning map requires updating; and

WHEREAS, an amendment to the contract is proposed to add a task for updating the zoning map; and

WHEREAS, the proposed zoning map update task adjusts the scope, budget and timeline of the contract;

BE IT RESOLVED that the governing body of the Town of Wake Forest hereby authorizes the Town Manager to execute a contract amendment as specified in the attached *UDO Update Scope and Budget Adjustment Memo – Zoning Map* and for the amount of \$52,500.

Adopted and effective this the 7th day of February 2023.

Vivian A. Jones

Mayor

ATTEST:

APPROVED AS TO FORM:

Theresa Savary

Town Clerk

Hassan Kingsberry

Town Attorney

Memorandum

Date: January 24, 2023

SENT VIA EMAIL

To: Town of Wake Forest
Kari Grace, AICP, CZO, Senior Planner

From: Houseal Lavigne Associates
Nik Davis, AICP, Principal
Jackie Berg, AICP, Practice Lead

Re: **Scope and Budget Adjustments**
UDO and MSSD Update

The purpose of this memorandum is to provide the Town of Wake Forest with an updated scope of work and amended budget for the UDO Update. The scope updates include the inclusion of the "Major Zoning Map Amendment" step, included as an optional task in the contracted scope of work and as amended per Wake Forest staff feedback.

The proposed scope amends the updated version of the project scope, executed October 3, 2022.

Scope of Work

Houseal Lavigne and Toole Design propose a seven-step scope of work for the UDO and MSSD update.

Step 1: Project Kick Off

To kick off the UDO Update process, we will conduct meetings, workshops, and interviews with key Town staff, the Board of Commissioners, and the Planning Board to discuss the process of updating the UDO and to gather information on the vision that elected and appointed officials, as well as Town staff, have for the outcome of the project. At the onset this step we will work with the Town to form a UDO Update Technical Review Group and to schedule our bi-weekly project check-in calls with Town staff.

- 1a. Staff Coordination Call
- 1b. UDO Technical Review Group Formation
- 1c. Staff Kick Off Meeting (in-person, trip 1)
- 1d. Zoning Issues Orientation Town Tour (in-person, trip 1)
- 1e. Department Heads Meeting (in-person, trip 1)
- 1f. Planning Board Work Session #1 (in-person, trip 1)
- 1g. Board of Commissioners Work Session #1 (in-person, trip 1)

Step 2: Public Engagement

Anticipating high levels of participation from an active and engaged community, our proposed outreach process for the UDO Update includes both traditional (face-to-face) and web-based activities to obtain the broadest levels of participation possible.

Our responsive approach allows us to be flexible and to maximize the effectiveness of resources spent. If face-to-face engagement is not feasible or desirable at a particular point in the process, we will work with Town staff to reallocate time and resources and identify the best online engagement tools and web meeting formats to supplement outreach efforts. We are confident that the suite of online engagement tools we can provide will allow us to obtain the community input required to provide Wake Forest with the UDO it needs.

At the onset of and throughout the project, we will work with the Town to develop content for a webpage on the Town's website dedicated to the UDO Update including UDO educational information to help inform residents about land development regulations and the purpose of the update. The webpage can also be used to post project schedules and meeting dates; display graphics, maps, and draft documents; address frequently asked questions; and provide an online questionnaire.

- 2a. UDO Update Webpage Content (updated regularly)
- 2b. Online Questionnaire
- 2c. Key Stakeholder Interviews and Focus Group Discussions (up to 25)
- 2d. UDO Update Public Workshop (in-person, trip 1)
- 2e. UDO Update Technical Review Group Meeting #1 (in-person, trip 1)

Step 3: Existing UDO Analysis and Preliminary Recommendations

This step begins with a thorough review of the Town's current UDO to determine the strengths and weaknesses of the existing regulations as a baseline for preparing all updates. The review and assessment of the existing UDO will entail a detailed chapter-by-chapter, section-by-section review, highlighting areas where the existing regulations, standards, procedures, processes, and other requirements are problematic when measured against national best practices, continuity and accessibility, equity, enforceability, and effectively accommodating property investment while safeguarding and ensuring community character and sense of place. Compliance with state and federal statutes and case law will also be assessed during this step including but not limited to sign regulations, stormwater regulations, and telecommunications regulations. The Town's recent history of development proposals and applications for zoning relief will also be reviewed to identify "pain points" in bringing forward development.

We will review the in-progress Community Plan, Northeast Community Plan, Affordable Housing Plan, Comprehensive Transportation Plan, Renaissance Plan, Parks Recreation and Cultural Resources Plan, Historic Preservation Plan, Public Art Vision Plan, and other relevant plans and studies to identify how current regulations are misaligned with the Town's vision, goals, objectives, policies, and implementation actions. ArcGIS Pro will be used to assess areas of misalignment between the Town's future land use map, included in the Community Plan, and the current zoning map. This analysis will identify areas where the land use category assigned to an area in the Community Plan is not supported by that area's base or overlay zoning district.

We will use ArcGIS Pro to conduct a conformity analysis to test existing development conditions against the bulk and use standards of the current UDO. This level of analysis is important, not only to determine if existing development is consistent with the existing code but to fully understand the impact of new regulations on existing development, so as not to inadvertently create an excessive amount of legal non-conforming structures. The updated UDO will need to not only appropriately guide and regulate new development going forward but must also work with the existing building stock and development pattern in established and historic areas of the Town.

These findings will be packaged into an Existing UDO Analysis and Preliminary Recommendations Memo. The Existing UDO Analysis will describe the issues with current regulations based on Town feedback, community outreach, and our expertise and analysis. The Preliminary Recommendations Memo will include an overall organization of the updated UDO as well as identify strategies for how to proceed, what to prioritize, and case studies and best practice approaches to be considered in order to resolve the identified issues and bring the UDO into alignment with the Community Plan.

Up to three calls with staff will be conducted to review and refine the Existing UDO Analysis and Preliminary Recommendations Memo before it is brought to the UDO Update Technical Review Group, Board of Commissioners, and Planning Board in a series of workshops.

- 3a. Review and Assessment of Current Code
- 3b. Review and Assessment of Recent Development Proposals
- 3c. Plan Alignment Analysis
- 3d. Regulations Testing
- 3e. Best Practices Research
- 3f. Existing UDO Analysis and Preliminary Recommendations Memo (deliverable)
- 3g. Staff Review Calls (up to 3)
- 3h. UDO Update Technical Review Group Meeting #2 (in-person, trip 2)
- 3i. Planning Board Work Session #2 (in-person, trip 2)
- 3j. Board of Commissioners Work Session #2 (in-person, trip 2)

Step 4: Proposed Zoning Map

Based on the Major Zoning Map Amendments recommended in Step 3, Houseal Lavigne will prepare a Preliminary Proposed Zoning Map for staff review. After up to 3 review calls with staff, during which the Preliminary Proposed Zoning Map will be reviewed and refined, the resulting Draft Proposed Zoning Map will be brought to the Technical Review Group for an in-person workshop. After integrating Technical Review Group feedback, the Revised Draft Proposed Zoning Map and Revised Draft Proposed Zoning Map StoryMap will be made public and presented to the Planning Board, Board of Commissioners, and community at in-person meetings conducted during the same trip to Wake Forest. Feedback received will be incorporated and the Final Draft Proposed Zoning Map will be made available for local consideration. The Final Draft Proposed Zoning Map will then be utilized throughout the UDO Update process as the basis for amendments to all UDO sections.

- 4a. Preliminary Proposed Zoning Map
- 4b. Staff Review Calls (up to 3)
- 4c. Draft Proposed Zoning Map
- 4d. UDO Update Technical Review Group Meeting (in-person, Trip 3)
- 4e. Revised Draft Proposed Zoning Map
- 4f. Revised Draft Proposed Zoning Map StoryMap
- 4g. Public Open Houses (up to 1 daytime and 1 evening) (in-person, Trip 4)
- 4h. Final Draft Proposed Zoning Map

Step 5: Draft UDO Sections and Review Meetings

This step includes the development of draft UDO language based on the feedback received from Town staff, the Board of Commissioners, Planning Board, and public on the Existing UDO Analysis and Preliminary Recommendations Memo created as a part of Step 3. Step 5 is divided into five parts to allow draft UDO sections to be delivered to Town staff and the UDO Update Advisory Committee iteratively to gain feedback and refine revisions before the full draft is developed as a part of the next step. The updated UDO will be a highly illustrative document and graphics, diagrams, illustrations, and other visualizations will be developed after Town staff and UDO Update Advisory Committee review and before Planning Board and Board of Commissioners work sessions to support and clearly communicate proposed revisions. Placeholders will be included in drafts delivered to Town staff and the UDO Update Advisory Committee to indicate which text or standards will have visualizations associated with them. Definitions for terms of art utilized in the draft sections will be developed, updated, or carried forward as necessary and delivered alongside associated deliverables in a memo. Work sessions with the Planning Board and Board of Commissioners will be hosted at key milestones.

Part 1: Zoning Districts and Map

Step 5a will involve revisions to district purpose and intent statements to align with the Town's Community Plan, the establishment of new districts if deemed necessary during Step 3, as well as any map updates desired by the Town based on the zoning map analysis conducted as a part of Step 3.

- 5a. Establishment of Districts (deliverable)
- 5b. Staff Review Calls (up to 3)

Part 2: District and Use Standards

Steps 5c and 5d will include updates to base and overlay district standards to ensure that any uses that are missing, unclear, or need to be improved are identified, district specific design/development requirements are established or refined, and bulk and dimensional standards are revised based on the results of the conformities analysis conducted as a part of Step 3. Step 5e will include supplemental use regulations that incorporate design principles and other standards relevant to specific uses.

- 5c. Base District Specific Standards (deliverable)
- 5d. Overlay District Specific Standards (deliverable)
- 5e. Use Specific Standards (deliverable)
- 5f. Staff Review Calls (up to 3)
- 5g. Planning Board Work Session #3 (in-person, trip 4)
- 5h. Board of Commissioners Work Session #3 (in-person, trip 4)

Part 3: General Development and Sign Standards

Step 5i will include concise, objective standards and regulations for development throughout the Town including, standards for landscape, parking, multibuilding developments, building types and architecture, stormwater, erosion control, telecommunications, open/park space, lighting, and trees that facilitate and encourage redevelopment and business reinvestment within existing commercial corridors and stimulate development. A user-friendly applicability section will be included in this Step to clarify when the various standards are required. Step 5j will include revisions to the Town's sign ordinance to ensure compliance with recent case law and to align with the Town's vision and goals for the appearance of its nonresidential areas.

- 5i. General Development Standards (deliverable)
- 5j. Sign Standards (deliverable)
- 5k. Staff Review Calls (up to 3)
- 5l. UDO Update Technical Review Group Workshop #4 (in-person, trip 5)
- 5m. Planning Board Work Session #4 (in-person, trip 5)
- 5n. Board of Commissioners Work Session #4 (in-person, trip 5)

Part 4: Subdivision Standards and Procedures and Planned Development Procedures

Step 5o will modernize the Town's subdivision standards and establish flexible standards for diverse housing types to accommodate consumer interest and housing trends. This step will also include updates to the Town's infrastructure standards and the establishment of a conservation subdivision process and standards. Step 5p will refine the Town's approach to planned developments to ensure that various development types are accommodated and alternative compliance to development standards can be approved to accommodate site context and achieve a higher level of design and amenity.

- 5o. Subdivision Standards and Procedures (deliverable)
- 5p. Planned Development Procedures (deliverable)
- 5q. Staff Review Calls (up to 3)
- 5r. UDO Update Technical Review Group Workshop #5 (in-person, trip 6)

Part 5: Administrative Processes and Definitions

Step 5s will establish efficient and flexible review and approval procedures if any new processes need to be added, such as development agreement processes. Step 5t will include a thorough update to all definitions to ensure that unnecessary definitions are eliminated, outdated definitions are clarified, and new definitions are added, as necessary.

- 5s. Administrative Procedures (deliverable)
- 5t. Definitions (deliverable)
- 5u. Staff Review Calls (up to 3)
- 5v. UDO Update Technical Review Group Workshop #6 (in-person, trip 7)
- 5w. Planning Board Work Session #5 (in-person, trip 7)
- 5x. Board of Commissioners Work Session #5 (in-person, trip 7)

Step 6: Manual of Specifications, Standards, and Design (MSSD) Comprehensive Update and Reorganization

This step includes the bulk of the tasks for the MSSD update portion of the project. Where applicable, areas of coordination between the UDO update and MSSD Comprehensive Update and Reorganization, herein referred to as the MSSD Update, have been identified.

Part 1: Project Kick Off

To kick off the MSSD Update process, we will participate in applicable meetings, workshops, and interviews already scheduled for the UDO Update with key Town staff to discuss the process of updating and revising the MSSD and to gather information on key outcomes and measures of success for the project. Strategic coordination for the MSSD Update is noted below.

- 6a. Staff Coordination Call
- 6b. Staff Kick Off Meeting (in-person, trip 1)
- 6c. Department Heads Meeting (in-person, trip 1)

6d. Public Works and Engineering Staff Meeting (virtual)

Part 2: Public Engagement

Based upon input from the Project Kick Off (Part 1), we will develop content that can be used during public engagement online and in-person meetings and events. Materials developed for public engagement will provide educational information on proposed updates, revisions, and reorganization to the MSSD and allow for specific feedback that will be used to refine content in the Draft MSSD Update document (Part 4). Graphics developed for the MSSD Update will be displayed during public engagement and comments on content and graphic style will be incorporated as applicable into the Draft and Final MSSD document. Attendance at meetings and events will be determined by Town staff during the Project Kick Off.

- 6e. Staff Review Call for Applicable MSSD Engagement Materials (up to 2)
- 6f. Key Stakeholder Interviews and Focus Group Discussions (up to 4)

Part 3: Existing MSSD Analysis and Preliminary Recommendations

This part of the MSSD Update will include a thorough review of the Town's current MSSD to understand the existing standards related to design to serve as a baseline for developing a comprehensive update that will replace the existing MSSD. Design files and specification will be included in the review as applicable to ensure that updates use key elements that unique to Wake Forest or preferred locally. The review and assessment of the existing MSSD will include a detailed chapter-by-chapter, section-by-section review. Checklists from Chapter 6 will be removed from the MSSD and will be available elsewhere; therefore, Chapter 6 will not be included in the review and assessment. The following chapters will be reviewed as a baseline for updates and reorganization:

- Chapter 1 – Water & Sewer Design
- Chapter 2 – Stormwater Management
- Chapter 3 – Street Design
- Chapter 4 – Erosion & Sedimentation Control
- Chapter 5 – Landscape Design & Installation
- Chapter 7 – Index & Bibliography

This review will highlight areas where the existing specifications, standards, and design are inconsistent or need revision to align with national best practices, regional standards, and/or goals of the Town. Additionally, the review will catalogue tables, charts, and graphics that will need to be reformatted, redeveloped, or changed for accuracy or for graphic consistency as part of the MSSD Update. Findings will be provided in an Existing MSSD Analysis and Preliminary Recommendations Memo. This summary memo will identify information within the current MSSD that should be updated or revised based on Town feedback, community engagement, and our expertise and analysis. Preliminary recommendations will be included and will focus on revisions to ensure consistency with other guiding documents, updates for new standards to align with best practice or Town goals, and changes that will result in a manual that is more effective and easier to use for Town staff, developers, and contractors.

- 6g. Review and Assessment of Current MSSD
- 6h. Best Practices Research and Documentation
- 6i. Existing MSSD Analysis and Preliminary Recommendations Memo
- 6j. Staff Review Calls (up to 3)
- 6k. Department Heads Working Session (virtual)

Part 4: Draft MSSD Update and Review Meetings

This part includes the development of draft MSSD Update content and reorganization of all content based on the feedback received from Town staff on the Existing MSSD Analysis and Preliminary Updates Memo created as a component of Part 3. The draft MSSD Update is a comprehensive update and reorganization of content to align with best practices and local goals, updates to the UDO, and establish a manual that is easy to use and is organized effectively. Town staff will provide information on specific sections that should be removed entirely or preference on reorganization for the MSSD Update. Part 4 of the MSSD Update will update language, graphics, diagrams, cross sections, and other content throughout to ensure that the Manual provides clear direction and is consistent with other guiding documents. A graphic style will be developed as part of the comprehensive update and reviewed with Town staff for input and refinements. Additionally, layout options will be developed early in Part 4 of the project and will be reviewed with staff. Applicable existing content, specifically design specifications, cross sections, and language will be included in the MSSD Update; however, graphics will be revised to ensure consistency and will be

modified for accuracy. . The catalogue of tables, charts, and graphics developed in Part 3 will be used to track changes that will be included in the MSSD Update. New content will be developed for all applicable chapters and sections that require clarification, changes are needed for accuracy, or where new specifications and design standards are warranted. Development of the MSSD Update will consider how a new layout and format can be easily navigated online and in a printed version of the document. Organization will be created based upon best practice and review of design standards and specification documents from peer communities or municipalities that have been identified by Town staff.

Each chapter of the MSSD Update will vary based upon previous updates completed and modifications that are warranted. While a comprehensive update will be completed to the entire MSSD document, the following chapters will require the most extensive work related to text changes, graphic development and modifications, and organization (all chapter numbers reflect current order and may change for the Draft and Final MSSD Update):

- Chapter 3 – Street Design
- Chapter 5 – Landscape Design & Installation
- Detail Specifications
- Definitions (new chapter to be added)

During the development of the MSSD Update, we will include a discussion on the name of this document that includes design specifications and standards. If Town staff believe a change is valuable, up to five (5) options for renaming this document will be developed and presented to Town staff during one of the review calls. Based upon discussion and comments, we will refine the number of options to two (2) and will present options to the Town to move forward to the Draft and Final MSSD Update.

Additional revisions will be made to language that allows flexibility for Town staff as development occurs across a variety of contexts and constraints. The Draft MSSD Update will include a complete update for the MSSD and reorganization of chapters and sections as applicable. All updated content and the proposed organization of the MSSD will be discussed with Town staff in a series of Review Meetings. Text, charts, graphics, and specifications will be delivered to the Town in formats that are beneficial for users and future updates.

- 6l. Prepare Draft MSSD
- 6m. Staff Review Calls (up to 5)
- 6n. Department Heads Working Session (virtual)
- 6o. UDO Update Technical Review Group Workshop #7 (virtual)

Step 7: Draft and Final UDO and MSSD

This step will include the compilation of the draft UDO Sections into a draft full draft UDO for local consideration and discussion along with the draft MSSD Update. The draft UDO document will be reviewed by Town staff and the UDO Update Technical Review Group prior to being brought to the community for up to two public open houses. The draft MSSD Update document will be reviewed by Town staff and comments will be incorporated into the final MSSD document. A UDO Update Informational Brochure will also be developed to help inform and educate the Wake Forest community about proposed updates. Feedback received on the draft document will be presented to the Board of Commissioners and Planning Board and their feedback will be incorporated into the final draft which will then be further refined with staff input before being sent to the Town Attorney for final legal review.

- 7a. Prepare Draft UDO (deliverable)
- 7b. Revise Draft MSSD
- 7c. Staff Review Calls (up to 3)
- 7d. UDO Update Technical Review Group Workshop #8 (in-person, trip 8)
- 7e. UDO Update Informational Brochure (including zoning map education) (deliverable)
- 7f. Final Draft Proposed Zoning Map StoryMap (deliverable)
- 7g. Draft UDO Public Open House (up to 2) (in-person, trip 8)
- 7h. Planning Board Work Session #8 (in-person, trip 8)
- 7i. Board of Commissioners Work Session #8 (in-person, trip 8)
- 7j. Prepare Final UDO (deliverable)
- 7k. Prepare Final Zoning Map

- 7l. Prepare Final MSSD
- 7m. Staff Review Calls (up to 3)
- 7n. Final UDO legal review (by Town Attorney) (deliverable)

Step 8: UDO and Zoning Map Adoption

During Step 8, the final UDO and Zoning Map will be presented to the Planning Board and Board of Commissioners for the formal public hearing process and, ultimately, the adoption of the updated UDO.

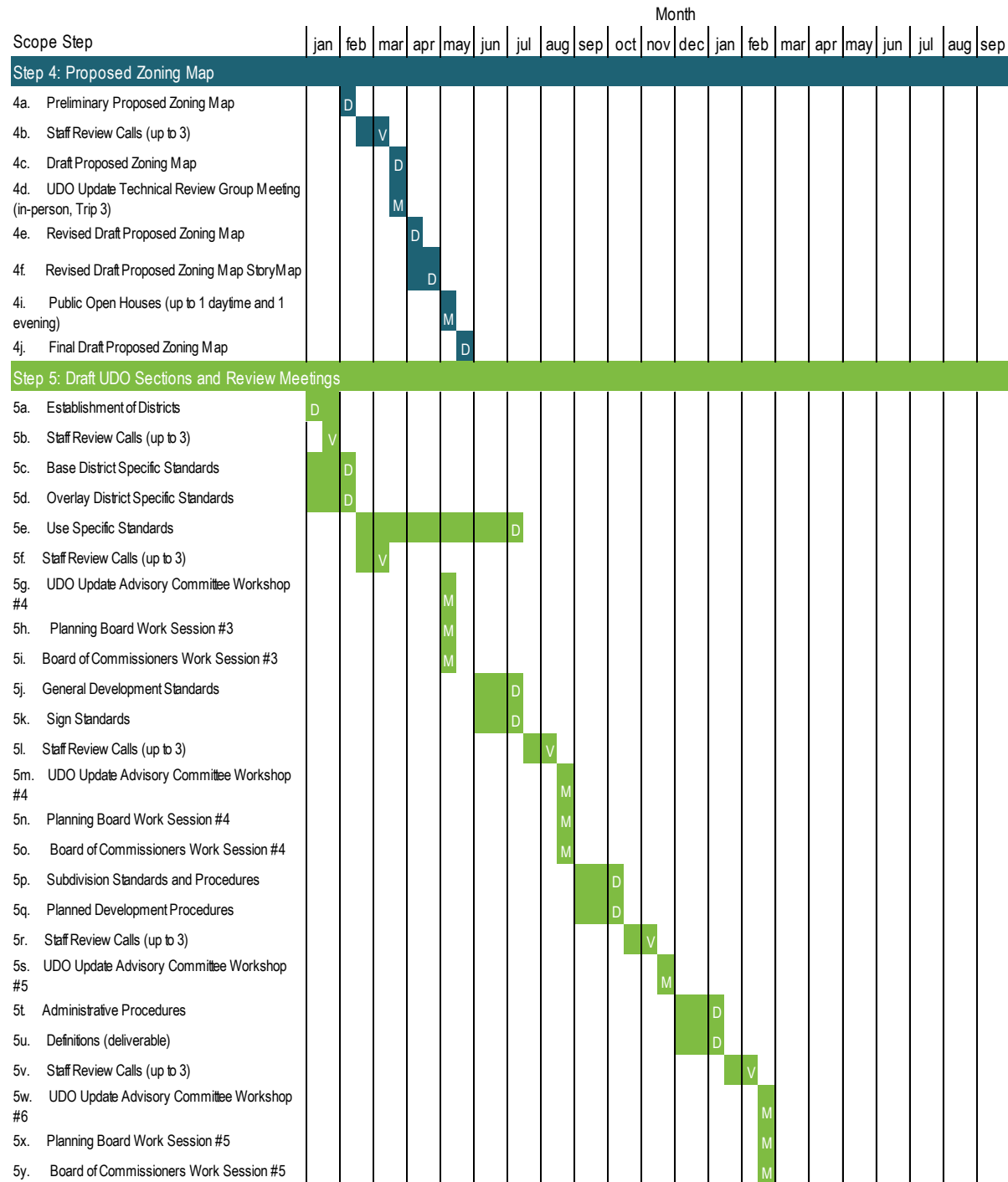
Final deliverables for the UDO and MSSD Update will include content in a variety of file formats. The final documents will be packaged as a PDF; however, all text, graphics, and design specifications will be provided to the Town as individual files to be used for other documents, presentations, or for modifications. File types include Word Documents, Excel spreadsheets, JPEGs, PNGs, DWGs, and PDFs.

For a period of up to one year after the adoption of the UDO Houseal Lavigne and Toole will assist the Town with minor edits to UDO and MSSD visualizations.

- 7a. Planning Board Public Comment Session (in-person, trip 9)
- 7b. Board of Commissioners Work Session (in-person, trip 10)
- 7c. Board of Commissioners Public Hearing (in-person, trip 11)

Timeline

The timeline for the updated scope of work is presented below.



Scope Step	Month																							
	jan	feb	mar	apr	may	jun	jul	aug	sep	oct	nov	dec	jan	feb	mar	apr	may	jun	jul	aug	sep			
Step 7: Draft and Final UDO and MSSD																								
7a. Prepare Draft UDO (deliverable)																D								
7b. Revise Draft MSSD																D								
7c. Staff Review Calls (up to 3)																V								
7d. UDO Update Technical Review Group Workshop #8																M								
7e. UDO Update Informational Brochure (deliverable)																	D							
7f. Final Draft Proposed Zoning Map StoryMap (deliverable)																	D							
7g. Draft UDO Public Open House (up to 2)																	M							
7h. Planning Board Work Session #8																	M							
7i. Board of Commissioners Work Session #8																	M							
7j. Prepare Final UDO (deliverable)																		D						
7k. Prepare Final Zoning Map																		D						
7l. Prepare Final MSSD																		D						
7m. Staff Review Calls (up to 3)																			V					
7n. Final UDO legal review (by Town Attorney) (deliverable)																				D				
Step 8: Adoption and Implementation																								
8a. Planning Board Public Comment Session																				M				
8b. Board of Commissioners Work Session																					M			
8c. Board of Commissioners Public Hearing																						M		

Budget

To accommodate the updated scope presented above, the not to exceed project budget is proposed to be amended to \$279,065 including \$51,500 of additional professional fees and \$1,000 of additional direct expenses.

	Professional Fees	Difference	Direct Expenses	Difference	Total
Original UDO Budget	\$ 206,865	n/a	\$ 16,200	n/a	\$ 223,065
October '22 Addendum	\$ 209,365	\$ 2,500	\$ 17,200	\$ 1,000	\$ 226,565
February '23 Addendum	\$ 260,865	\$ 51,500	\$ 18,200	\$ 1,000	\$ 279,065
Original MSSD Budget	\$ 111,840	n/a	\$ 3,000	n/a	\$ 114,840



Board of Commissioners Work Session Agenda Item Report

Agenda Item No.: 2023-10-

Submitted by: Shiekell Richardson

Submitting Department: Administration

Meeting Date: February 7, 2023

SUBJECT

AN ORDINANCE PROHIBITING THE POSSESSION OF WEAPONS ON TOWN PROPERTY; SIGNAGE.

Recommendation:

Item Summary:

ATTACHMENTS

- [AN ORDINANCE PROHIBITING THE POSSESSION OF WEAPONS ON TOWN PROPERTY.docx](#)

§ 13-6.3 AN ORDINANCE PROHIBITING THE POSSESSION OF WEAPONS ON TOWN PROPERTY; SIGNAGE.

(A) AUTHORITY. This subchapter is enacted pursuant to N.C.G.S. §§ 14-415.11 (c), 14-415.23, and 160A-189.

(B) CARRYING OF FIREARM OR DEADLY WEAPON PROHIBITED.

- (1) Display or carrying of any firearm or deadly weapon, including concealed handguns carried in accordance with the scope of a concealed handgun permit issued in accordance with G.S. Article 54B of Chapter 14, is prohibited in each building owned, leased as lessee, operated, occupied, managed, or controlled by the town as well as the appurtenant premises to such building. However, firearms may be secured in a locked vehicle within the trunk, glove box, or other enclosed compartment or area within or on the motor vehicle in the parking lot of the town owned property.
- (2) It shall be unlawful for any person to display, openly carry or possess on or about his person any deadly weapon, including, but not limited to any bomb, bowie knife, dirk, dagger, sling-shot, loaded cane, metal knuckles, razor, stun gun, pistol, revolver, gun, rifle, spear, or nightstick at any meeting, assemblage, parade, or picketing on any public property, street, alley or other public way.
- (3) This section shall not apply to law enforcement or other government personnel acting within the scope of their employment or to the possession of a firearm or other weapon on residential property leased by the Town by the resident of said property. This section shall also not apply to weapons used solely for instructional classes or officially sanctioned ceremonial purposes.

(C) SIGNS.

- (1) Posting of signs required. The town manager is hereby authorized and instructed to post conspicuous signage at appropriate locations on or within each town building or portion of a building owned, leased as lessee, operated, occupied, managed, or controlled by the town, as well as the appurtenant premises to such buildings, indicating that carrying a concealed handgun or deadly weapon is prohibited therein.

(2) Location of signs. Signs on buildings shall be visibly posted on the exterior of each entrance by which the general public can access the building. The town manager shall exercise discretion in determining the number and appropriate location of signs to be placed on or within appurtenant premises.

(D) VIOLATIONS.

(1) Violation. The carrying of concealed handguns or the possession or display of any firearm or other weapon as defined in this section, in or upon any of the locations specified by this section, shall constitute a misdemeanor and subject any violator(s) so convicted to such penalties as may be imposed by the court. In addition to said punishment, any person convicted under this section will be prohibited from entering town property for up to one year.

This ordinance shall take effect on _____, 2023.

Moved by:

APPROVED AS TO FORM:

Seconded By:

Hassan Kingsberry, Town Attorney

Mayor: _____

ATTEST:

Town Clerk



Board of Commissioners Work Session Agenda Item Report

Agenda Item No.: 2023-11-

Submitted by: Terry Savary

Submitting Department: Administration

Meeting Date: February 7, 2023

SUBJECT

Closed Session - Consultation with the Town Attorney, N.C.G.S. § 143.318.11(a)(3)

Recommendation:

Item Summary:

ATTACHMENTS

-